

10/049934

PTO/SB/08 (08-03)

Approved for use through 7/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>PATENT APPLICATION FEE DETERMINATION RECORD</b>						Application or Docket Number	
Substitute for Form PTO-875							
<b>CLAIMS AS FILED - PART I</b>							
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE		
BASIC FEE (37 CFR 1.16(e))					\$		
TOTAL CLAIMS (37 CFR 1.16(c))		minus 20 =		X \$			
INDEPENDENT CLAIMS (37 CFR 1.16(b))		minus 3 =		X \$			
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+	\$		
				TOTAL			
* If the difference in column 1 is less than zero, enter "0" in column 2.							
<b>CLAIMS AS AMENDED - PART II</b>							
(Column 1)		(Column 2)		(Column 3)		SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE		
Total (37 CFR 1.16(c))	25	29	=	X \$	25		
Independent (37 CFR 1.16(b))	4	3	= 1	X \$	100		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+	\$		
				TOTAL ADD'L FEE	100		
(Column 1)		(Column 2)		(Column 3)		OR OTHER THAN SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE		
Total (37 CFR 1.16(c))	24	29	= 0	X \$	50		
Independent (37 CFR 1.16(b))	3	3	= 0	X \$	200		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+	\$		
				TOTAL ADD'L FEE	0		
(Column 1)		(Column 2)		(Column 3)		OR OTHER THAN SMALL ENTITY	
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE		
Total (37 CFR 1.16(c))			=	X \$			
Independent (37 CFR 1.16(b))			=	X \$			
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+	\$		
				TOTAL ADD'L FEE			
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20". *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3". The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.							

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US Patent Application 10/049,934  
Filed August 7, 2002  
Applicant Axel Muntermann  
Art Unit 3739  
Examiner Michael Peffley  
Examiner's Phone (571) 272 4770  
Attorney Docket (H)02MUN0018USP

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3739  
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Mail Stop Response - Art Unit 3739  
PO Box 1450  
Commissioner for Patents  
Washington, DC 20231

Amendment

Dear Examiner Peffley:

This Amendment responds to the Office Action mailed 11/23/2005.

Please amend the above-identified application as follows:

A complete set of claims currently in this application, with status indicators, is submitted  
herewith.

03/08/2006 HMARZ11 00000002 10049934  
01 FC:2203 180.00 OP

03/07/2006 HMARZ11 00000042 10049934  
01 FC:1806 180.00 OP

Adjustment dates 03/08/2006 HMARZ11  
03/07/2006 HMARZ11 00000042 10049934  
01 FC:1806 180.00 OP

2251 460

Muntermann (H)02MUN0018USP 10/049,934  
Response to Office Action of 11/23/2005, submitted by first class mail on 02/23/2006

PTO 2038 is included herewith authorizing charging a credit card for the prescribed small entity multiple dependent claim fee of \$180 to cover the addition of claim 32. Given the claims cancelled in this Amendment, no further additional claim fees are due with the addition of the new dependent claims.

Wherefore, further consideration and allowance of the claims, as amended, is respectfully requested.

Respectfully submitted,



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#### CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 23, 2006.



M. Robert Kestenbaum

U.S. APPLICATION NO. (IF KNOWN, SEE 3)	INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER
10,0499	PCT/EP00/07942	(H)02MUN0018USP

24. The following fees are submitted:				CALCULATIONS PTO USE ONLY	
<b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</b> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... \$1040.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... \$890.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$740.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$710.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00 <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>					
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	29 - 20 =	9	x \$18.00	\$162.00	
Independent claims	1 - 3 =	0	x \$84.00	\$0.00	
Multiple Dependent Claims (check if applicable).				<input type="checkbox"/>	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$1,052.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27). The fees indicated above are reduced by 1/2.				\$526.00	
<b>SUBTOTAL =</b>				\$526.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00	
<b>TOTAL NATIONAL FEE =</b>				\$526.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable).				<input type="checkbox"/>	\$0.00
<b>TOTAL FEES ENCLOSED =</b>				\$526.00	
				Amount to be refunded	\$
				charged	\$

- a. ☒ PTO-2038 in the amount of \$526.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-0665. A duplicate copy of this sheet is enclosed.
- d. ☒ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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*M. Robert Kestenbaum*  
SIGNATURE

M. Robert Kestenbaum

NAME

20,430

REGISTRATION NUMBER

February 19, 2002

DATE